

CONTINUING PATENT APPLICATION TRANSMITTAL

(for Continuing Applications
under 37 C.F.R. §1.53(b))

Attorney Docket No. 7372/72157

First Named Inventor: WATANABE et al.

Box PATENT APPLICATION
Commissioner of Patents and Trademarks
ATTENTION: Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

This is a request under 37 C.F.R.
§1.53(b) for filing a:

() Continuation application,

(X) Divisional application,

() Continuation-in-Part application,

September 28, 2001

of pending prior application number 09/252,240,

filed on February 18, 1999 of Keisuke WATANABE and Masayo SUGANO
(Date) (Inventor(s))

for FABRIC PROTECTANT AGAINST PESTS
(Title)

1. (X) This is a continuation or divisional application. Enclosed is a copy of the prior application as originally filed, including specification, claims, drawings, and oath or declaration.

- or -

- () Enclosed is a patent application (for continuation, divisional, or continuation-in-part applications) containing:

(X) 14 pages of the specification (including claims).

() _____ sheets of drawings () Formal () Informal.

2. () Amend the specification by inserting before the first line the sentence: --This is a [] continuation, [] division, [] continuation-in-part, of prior application number _____, filed, which is hereby incorporated herein by reference in its entirety.-- The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 3 below, is considered as being part of the disclosure of the accompanying application, and is hereby incorporated by reference therein.

3. (X) A copy of the executed oath or declaration filed in the prior nonprovisional application is enclosed.

4. () Inventorship:

() A newly-executed oath or declaration and power of attorney is enclosed (for continuation-in-part applications, or for continuation or divisional applications naming an inventor not named in the prior application) (\$1.63(a), (d)(5) and (e)).

() Because this application is being filed by fewer than all of the inventors named in the prior application, delete the following inventor(s) named in the prior nonprovisional application (37 C.F.R. \$1.63(d)(1)(2)):

_____.

() The names of persons believed to be the actual inventors are set forth in the enclosed unexecuted oath or declaration and power of attorney (\$1.41(a) and \$1.53(b)).

5. (X) Assignment(s) of the invention to Sumitomo Chemical Company, Limited, and cover sheet are enclosed.

(X) **Please charge our Deposit Account \$40.00 the amount for the Recordation fee under Order No. 7372/72157.**

6. (X) The prior application is assigned of record to Sumitomo Chemical Company, Limited.

7. () Small Entity Status (37 C.F.R. \$1.28(a)(2)):

() A statement of status as a small entity is enclosed.

() A statement of status as a small entity was filed in the prior application, and small entity status is still proper and desired in this new nonprovisional application.

() Status as a small entity is no longer claimed.

8. () A 37 C.F.R. \$3.73(b) statement is enclosed (where an assignee seeks to take action in a matter before the Patent Office).

9. (X) A preliminary amendment is enclosed.

10. () Drawings:

() Transfer the drawings from the prior application to this

application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May be used only if signed by person authorized by \$1.138 and before payment of base issue fee.)

() New formal drawings are enclosed.

() Informal drawings are enclosed.

11. () A separate written request under 37 C.F.R. \$1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. \$1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.

12. () An Information Disclosure Statement is enclosed.

() A Form PTO-1449 is enclosed.

() _____ References (copies) listed on the Form PTO-1449 are enclosed.

13. () A MicroFiche Computer Program (Appendix) is enclosed.

14. (X) A Return Receipt Postcard is enclosed (MPEP \$503).

15. () A Nucleotide and/or Amino Acid Sequence Submission is enclosed.

() A Computer Readable Copy is enclosed.

() A Paper Copy (Identical to Computer Copy) is enclosed.

() A Statement Verifying Identity of above Copies is enclosed.

16. (X) Priority of application number 10-035782 filed on 18 February 1998 in Japan is claimed under 35 U.S.C. \$119.

(X) The certified copy of the priority document has been filed in prior application number 09/252,240, filed February 18, 1999.

() A certified copy of the priority document is enclosed.

17. (X) Power of Attorney:

(X) The power of attorney in the prior application is to:

(X) Kendrew H. Colton Reg. No. 30,368,
FITCH, EVEN, TABIN, & FLANNERY
1801 K Street, N.W.
Suite 401L
Washington, D.C. 20006
and other members of the firm.

(X) Customer Number 22242.

(X) The power appears in the original papers in the prior application.

() Since the power does not appear in the original papers in the prior application, a copy of the power in the prior application is enclosed.

18. (X) Cancel in this application original claims 18 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

19. (X) The filing fee is calculated below:

Fee Calculation for Claims as Filed in the Prior Application,
Less Any Claims Cancelled by Amendment

(X) Basic Utility Fee \$ 710.00 \$710.00
 • (X) Independent Claims 3 - 3 = 5 x \$ 80.00 = \$00.00
 • (X) Total Claims 19 - 20 = x \$ 18.00 = \$0.00
 • () Fee for Multiply Dependent Claims \$270.00 \$

or
 () Basic Design Fee \$ 310.00 \$
 Total of above Calculations \$710.00
 Reduction by 50% for Filing by Small Entity \$
 Total \$710.00

20. (X) **Please charge our Deposit Account \$710.00 the amount for the filing fee under Order No. 7372/72157.**

21. (X) The Commissioner is hereby authorized to charge any fees which may be required under 37 C.F.R. §§1.16 and 1.17 and are not paid herewith, or credit any overpayment, to Deposit Account Number 06-1135. A duplicate copy of this request is enclosed.

22. (X) Also enclosed: Power of Attorney from Assignee...

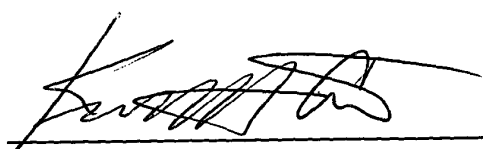
23. (X) Address all future communications to Customer Number 22242.

22242

FITCH, EVEN, TABIN & FLANNERY
1801 K Street, N.W.
Suite 401L
Washington, D.C. 20036
Telephone: (202) 419-7000
Facsimile: (202) 419-7007

September 28, 2001

(Date)


Kendrew H. Colton

Registration No. 30,368

(X) Attorney or agent of record

() Filed under \$1.34(a)

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